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*Attorneys for Irving H. Picard,  
Trustee for the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor,

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SONJA KOHN, et al.

Defendants.

SIPA LIQUIDATION

No. 08-01789 (BRL)

(Substantively Consolidated)

Adv. Pro. No. 10-05411 (BRL)

Case No. 11 Civ. 01181 (JSR)

**DECLARATION OF TIMOTHY S.  
PFEIFER IN SUPPORT OF THE  
TRUSTEE'S OPPOSITION TO THE  
MOTIONS TO DISMISS**

I, Timothy S. Pfeifer, hereby declare as follows:

1. I am a member of the Bar of this Court and Counsel at the firm of Baker & Hostetler LLP, counsel for Plaintiff Irving H. Picard (the “Trustee”), the trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq., and the estate of Bernard L. Madoff, individually.

2. As attorney of record in these proceedings, I am fully familiar with the facts set forth herein. I make this declaration to transmit to this Court true and correct copies of documents relevant to the Trustee’s Opposition to UniCredit S.p.A., Pioneer Global Asset Management S.p.A., UniCredit Bank Austria AG, and Alessandro Profumo’s Motions to Dismiss.

3. True and correct copies of the following documents are attached:

Exhibit 1: Trustee’s Proposed Second Amended Complaint, Picard v. Kohn, et al.

Exhibit 2: Redline of Trustee’s Proposed Second Amended Complaint, Picard v. Kohn, et al.

Under 28 U.S.C. § 1746, I hereby declare, under penalty of perjury, that the foregoing statements made by me are true and correct.

Dated: New York, New York  
August 29, 2011

*Of Counsel:*  
Oren J. Warshavsky  
Deborah H. Renner  
Gonzalo S. Zeballos  
Mark A. Kornfeld  
Marc Skapof

*/s/ Timothy S. Pfeifer*

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